IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTIION

Writ Petition No.8448 of 2007

Hotel Nalanda through
Vishal Shekhar Punja and ors. ..Petitioners

vs.

State of Maharashtra & Ors. ..Respondents

Shri S.P.Kanuga for petitioners

Shri A.R.Patne, A.G.P. for respondents.

CORAM: S.C.DHARMADHIKARI J.
22nd NOVEMBER, 2007

P.C.

1. The establishment of the petitioner has been issued Hotel and Public Entertainment Licence by the Assistant Commissioner of Police, Dombivli Division, Dombivli. However, on 15th November, 2007, the order has been passed cancelling its licence in pursuance of the show cause notice dated 3rd November, 2007. The grievance of Shri Kanuga is that the notice was replied after the same was received. However, without considering that reply or giving hearing to the petitioner the subject licence has been cancelled.

2. Shri Kanuga states that the petitioner is willing to appear before the authority and make appropriate submission with regard to the

allegations in the show cause notice.

3. In these circumstances, interest of justice would be subserved if a direction is issued to the petitioner to appear before the authority on Thursday the 29th November, 2007 at 11 a.m. and the authority to consider the submissions and pleas and pass the order afresh within a period of ten days thereafter. The said authority to pass the order afresh without being influenced by the observations in the earlier order. Needless to state that the impugned order is quashed and set aside. Petition is allowed to the above extent.

(S.C.DHARMADHIKARI J.)